



State of Wisconsin
2005 - 2006 LEGISLATURE

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Today!
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SENATE SUBSTITUTE AMENDMENT,
TO 2005 SENATE BILL 284

Regenerate

Regen

1 AN ACT *to repeal* 48.981 (1) (fm); *to renumber and amend* 48.21 (1) (b), 48.43
2 (2), 48.981 (3) (a) 2. and 48.981 (3) (c) 1.; *to amend* 48.02 (15), 48.21 (1) (a),
3 48.371 (1) (intro.), 48.371 (1) (a), 48.371 (1) (b), 48.371 (1) (c), 48.371 (3) (intro.),
4 48.371 (3) (a), 48.371 (3) (b), 48.371 (3) (c), 48.371 (3) (d), 48.425 (1) (f), 48.425
5 (1) (g), 48.427 (3m) (a) 1., 48.428 (2) (a), 48.428 (2) (b), 48.43 (5) (c), 48.57 (3m)
6 (a) 2., 48.57 (3n) (a) 2., 48.62 (2), 48.65 (2) (a), 48.75 (1g) (a) 1., 48.92 (2), 48.981
7 (1) (d), 48.981 (3) (c) 4., 938.02 (15), 938.371 (1) (intro.), 938.371 (1) (a), 938.371
8 (1) (b), 938.371 (1) (c), 938.371 (3) (intro.), 938.371 (3) (a), 938.371 (3) (b),
9 938.371 (3) (c) and 938.371 (3) (d); and *to create* 48.21 (1) (b) 1., 48.371 (4),
10 48.427 (3m) (am), 48.43 (2) (a), 48.43 (2) (b), 48.981 (3) (a) 2. a., 48.981 (3) (a)
11 2. b., 48.981 (3) (a) 2. c., 48.981 (3) (a) 2. d., 48.981 (3) (a) 2d. and 938.371 (4) of
12 the statutes; **relating to:** the investigation of child abuse reports in which a
13 person who is not a caregiver of the child is suspected of the abuse of the child;

1 defining the persons who are considered to be relatives of a child or juvenile for
2 purposes of the Children's Code and the Juvenile Justice Code; extending the
3 time for which a child may be held in custody when additional time is required
4 to determine whether the filing of a petition initiating proceedings under the
5 Children's Code is necessary; the provision of certain information to a relative
6 of a child when the child is placed in the home of the relative; the status of a
7 child's relatives following a termination of parental rights; and the transfer of
8 guardianship and custody of a child to a county department of human services
9 or social services in a county other than Milwaukee County for the placement
10 of a child for adoption in the home of the child's foster or treatment foster
11 parents.

Analysis by the Legislative Reference Bureau

This substitute amendment makes various changes to the Children's Code and the Juvenile Justice Code relating to the investigation of child abuse reports in which a person who is not a caregiver of the child is suspected of the abuse of the child; defining the persons who are considered to be relatives of a child or juvenile for purposes of the Children's Code and the Juvenile Justice Code; extending the time for which a child may be held in custody when additional time is required to determine whether the filing of a petition initiating proceedings under the Children's Code is necessary; and the transfer of guardianship and custody of a child to a county department of human services or social services (county department) in a county other than Milwaukee County for placement of the child for adoption in the home of the child's foster or treatment foster parents. The changes are as follows:

Child abuse investigations of noncaregivers

Under current law, certain persons having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur must report that suspected or threatened abuse or neglect to the county department of human services or social services or, in Milwaukee County, to the Department of Health and Family Services (DHFS) or a child welfare agency under contract with DHFS (collectively "agency") or to the sheriff or police department. Current law also permits any other person having reason to suspect that a child has been abused or

neglected or reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur to make such a report.

Current law requires the sheriff or police department to refer to an agency all cases of child abuse or neglect reported to it and the agency, within 24 hours after receiving a report, to initiate a diligent investigation to determine if the child is in need of protection or services. Current law also specifies certain procedures that an agency must follow in investigating cases in which there is reason to suspect that the child was abused or neglected, or was threatened with abuse or neglect, by a caregiver, which is defined under current law as a relative, guardian, or legal custodian of the child; a person who resides or has resided regularly or intermittently in the same dwelling as the child; an employee of a residential facility or a residential care center for children and youth in which the child was or is placed; a person who provides or has provided care for the child in or outside of the child's home; or any other person who exercises or has exercised temporary or permanent control or supervision over the child.

This substitute amendment permits, rather than requires, the sheriff or police department to refer to an agency a case in which a person who is not a caregiver of a child is suspected of the abuse, or of the threatened abuse, of the child and permits, rather than requires, the agency to initiate a diligent investigation to determine if the child is in need of protection or services. In cases in which a caregiver is suspected of the abuse or neglect, or of the threatened abuse or neglect, of a child, in which a caregiver is suspected of facilitating or failing to take action to prevent the suspected or threatened abuse or neglect of a child, or in which it cannot be determined who abused or neglected a child, the sheriff or police department must refer the case to an agency and the agency must investigate the case as under current law.

Definition of “relative” in Children’s Code and Juvenile Justice Code

Currently, for purposes of the Children’s Code and the Juvenile Justice Code, a “relative” of a child or juvenile is defined as a parent, grandparent, greatgrandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt, whether the relationship is by blood, marriage, or adoption. For the purpose of determining eligibility to receive kinship care or long-term kinship care payments for providing care and maintenance for a child, for the purpose of determining eligibility to be appointed as the guardian of a child in need of protection or services, and for the purpose of exempting a relative who is providing care and maintenance for a child from having to obtain a foster home license, the definition is expanded to include a stepbrother or stepsister, any person of a preceding generation as denoted by the prefix grand, great, or great-great, and the spouse of any relative, even if the marriage is terminated by death or divorce. The definition is also expanded for purposes of investigating any suspected or threatened abuse or neglect of a child by a caregiver of the child to include a second cousin, stepgrandparent, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, stepuncle, or steppaunt.

This substitute amendment expands the definitions of a “relative” of a child or juvenile for purposes of the Children’s Code and the Juvenile Justice Code, other than for purposes of day care licensing, to include, in addition to the relatives

currently listed in those definitions, a stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, second cousin, stepuncle, stepaunt, any person of a preceding generation as denoted by the prefix grand, great, or great-great, and the spouse of any relative, even if the marriage is terminated by death or divorce. The substitute amendment also conforms the various other definitions of "relative" found in the Children's Code to the expanded definition, except that under the substitute amendment the definitions of "kinship care relative," "long-term kinship care relative," and "relative," for purposes of eligibility to be appointed as the guardian of a child in need of protection or services, do not include a parent of the child.

Holding a child in custody

Under current law, if a child who has been taken into custody under the Children's Code is not released, a judge of the court assigned to exercise jurisdiction under the Children's Code (juvenile court) or a circuit court commissioner must conduct a hearing within 48 hours of the time the decision to hold the child in custody was made, exclusive of Saturdays, Sundays, and legal holidays, and a petition initiating proceedings under the Children's Code must be filed by the time of the hearing. If a hearing is not held within the time required or if a petition is not filed by the time of the hearing, the child must be released, except that if a hearing is held, but no petition is filed, the child may be held in custody for an additional 72 hours, exclusive of Saturdays, Sundays, and legal holidays, if the juvenile court judge or circuit court commissioner determines that probable cause exists to believe that the child is an imminent danger to himself or herself or others or that the child's parent, guardian, or legal custodian or another responsible adult is neglecting, refusing, unable, or unavailable to provide adequate supervision and care for the child.

This substitute amendment permits a child to be held in custody for an additional 72 hours, when no petition is filed by the time of the custody hearing, if the juvenile court judge or circuit court commissioner determines that probable cause exists to believe that additional time is required to determine whether the filing of a petition initiating proceedings under the Children's Code is necessary.

Provision of information to relative caregivers

Under current law, a permanency plan, which is a plan designed to ensure that a child is reunified with his or her family whenever appropriate or that the child quickly attains a placement or home providing long-term stability, must be prepared for a child who is living in a foster home, treatment foster home, group home, or residential care center for children and youth (RCC), whether under a voluntary agreement or an order of the juvenile court, or in the home of a relative under an order of the juvenile court. Currently, certain information from a child's permanency plan and certain medical information must be provided to the child's foster parent, treatment foster parent, or operator of the group home or RCC in which the child is placed at the time of placement. ¹⁵ That information includes information relating to any mental, emotional, cognitive, developmental, or behavioral disability of the child; any involvement of the child in a criminal gang; any involvement of the child in any activities that are harmful to the child's physical, mental, or moral well-being; any involvement of the child, whether as victim or perpetrator, in certain sex crimes;

permits ~~that~~ ^{the} information

the religious affiliation or belief of the child; the results of any tests of the child for human immunodeficiency virus or viral hepatitis, type B; and any other medical information concerning the child that is necessary for the care of the child

This substitute amendment requires ~~that~~ ^{the} information to be provided also to a relative in whose home a child is placed and to be provided before the child is placed.

Status of relative following TPR

Under current law, a TPR order permanently severs all legal rights and duties between the parent whose parental rights have been terminated and the child. A TPR order also results in the legal severance of the relationship between the child and the child's entire family. *State v. Margaret H.*, 234 Wis. 2d 606, 619 (2000).

This substitute amendment codifies that a TPR order permanently severs all legal rights and duties not only between the parent whose parental rights are terminated but also between all persons whose relationship to the child is derived through that parent except as follows:

1. The relationship between the child and his or her siblings is not severed until that relationship is extinguished by an order of adoption.
2. A relative whose relationship to the child is derived through the parent whose parental rights are terminated is considered to be a relative of the child for purposes of placement of, and permanency planning for, the child until that relationship is extinguished by an order of adoption.

Placement of a child for adoption

Under current law, if the parental rights of both parents or of the only living parent of a child are terminated, the juvenile court must do one of the following:

1. Transfer guardianship and custody of the child pending adoptive placement to a county department that is authorized to accept guardianship of a child, for purposes of placing a child for adoption, to a child welfare agency that is licensed to accept guardianship of a child and to place the child for adoption, to DHFS, to a relative with whom the child resides, or to an individual who has been appointed guardian of the child by a court of a foreign jurisdiction.
2. Transfer guardianship of the child to a county department, child welfare agency, or DHFS and custody of the child to a relative or to an individual in whose home the child has resided for at least 12 consecutive months immediately prior to the termination of parental rights (TPR).

This substitute amendment permits the juvenile court, following a TPR, to transfer guardianship and custody of a child to a county department of a county other than Milwaukee County for placement of the child for adoption by the child's foster parent or treatment foster parent, only if the county department has agreed to accept guardianship and custody of the child and the foster parent or treatment foster parent has agreed to adopt the child.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 48.02 (15) “Relative” means a parent, grandparent, ~~greatgrandparent,~~
2 stepparent, brother, sister, stepbrother, stepsister, half brother, half sister,
3 brother-in-law, sister-in-law, first cousin, 2nd cousin, nephew, niece, uncle, or
4 aunt. ~~This relationship shall be, stepuncle, stepaunt, or any person of a preceding~~
5 generation as denoted by the prefix of grand, great, or great-great, whether by blood,
6 marriage, or legal adoption, or the spouse of any person named in this subsection,
7 even if the marriage is terminated by death or divorce.

8 **SECTION 2.** 48.21 (1) (a) of the statutes is amended to read:

9 48.21 (1) (a) If a child who has been taken into custody is not released under
10 s. 48.20, a hearing to determine whether the child shall continue to be held in custody
11 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit
12 court commissioner within 48 hours of the time the decision to hold the child was
13 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing
14 a petition under s. 48.25 shall be filed, except that no petition need be filed ~~where a~~
15 when the child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or ~~where~~ when
16 the child is a runaway from another state, in which case a written statement of the
17 reasons for holding ~~a~~ the child in custody shall be substituted if the petition is not
18 filed. If no hearing has been held within 48 hours, excluding Saturdays, Sundays,
19 and legal holidays, or if no petition or statement has been filed at the time of the
20 hearing, the child shall be released except as provided in ~~par. (b)~~ pars. (b) and (bm).
21 A parent not present at the hearing shall be granted a rehearing upon request for
22 good cause shown.

23 **SECTION 3.** 48.21 (1) (b) of the statutes is renumbered 48.21 (1) (b) (intro.) and
24 amended to read:

1 48.21 (1) (b) (intro.) If no petition has been filed by the time of the hearing, a
2 child may be held in custody with approval of the judge or circuit court commissioner
3 for an additional 72 hours from the time of the hearing, excluding Saturdays,
4 Sundays, and legal holidays, only if, as a result of the facts brought forth at the
5 hearing, the judge or circuit court commissioner determines that probable cause
6 exists to believe ~~that~~ any of the following:

7 2. That the child is an imminent danger to himself or herself or to others, ~~that,~~

8 3. That probable cause exists to believe that the parent, guardian, or legal
9 custodian of the child or other responsible adult is neglecting, refusing, unable, or
10 unavailable to provide adequate supervision and care ~~or,~~

11 4. That, if the child is an expectant mother who was taken into custody under
12 s. 48.19 (1) (cm) or (d) 8., ~~that~~ probable cause exists to believe that there is a
13 substantial risk that if the child expectant mother is not held, the physical health of
14 the unborn child, and of the child when born, will be seriously affected or endangered
15 by the child expectant mother's habitual lack of self-control in the use of alcohol
16 beverages, controlled substances, or controlled substance analogs, exhibited to a
17 severe degree, and to believe that the child expectant mother is refusing or has
18 refused to accept any alcohol or other drug abuse services offered to her or is not
19 making or has not made a good faith effort to participate in any alcohol or other drug
20 abuse services offered to her. The

21 **(bm)** An extension under par. (b) may be granted only once for any petition. In
22 the event of failure to file a petition within the extension period provided for in ~~this~~
23 ~~paragraph~~ par. (b), the judge or circuit court commissioner shall order the child's
24 immediate release from custody.

25 **SECTION 4.** 48.21 (1) (b) 1. of the statutes is created to read:

1 48.21 (1) (b) 1. That additional time is required to determine whether the filing
2 of a petition initiating proceedings under this chapter is necessary.

3 **SECTION 5.** 48.371 (1) (intro.) of the statutes is amended to read:

4 48.371 (1) (intro.) If Before a child is placed in a foster home, treatment foster
5 home, group home, or residential care center for children and youth or in the home
6 of a relative other than a parent, including a placement under s. 48.205 or 48.21, or,
7 if the following information is not available by the time of the placement, as soon as
8 possible after the date of receipt of that information, but no more than 2 working days
9 after that date, the agency, as defined in s. 48.38 (1) (a), that placed the child or
10 arranged for the placement of the child shall provide the following information to the
11 foster parent, treatment foster parent, relative, or operator of the group home or
12 residential care center for children and youth at the time of placement or, if the
13 information has not been provided to the agency by that time, as soon as possible
14 after the date on which the agency receives that information, but not more than 2
15 working days after that date.

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16 **SECTION 6.** 48.371 (1) (a) of the statutes is amended to read:

17 48.371 (1) (a) Results of a test or a series of tests of the child to determine the
18 presence of HIV, as defined in s. 968.38 (1) (b), antigen or nonantigenic products of
19 HIV, or an antibody to HIV, as provided under s. 252.15 (5) (a) 19., including results
20 included in a court report or permanency plan. At the time that the test results are
21 provided, the agency shall notify the foster parent, treatment foster parent, relative,
22 or operator of the group home or residential care center for children and youth of the
23 confidentiality requirements under s. 252.15 (6).

24 **SECTION 7.** 48.371 (1) (b) of the statutes is amended to read:

1 48.371 (1) (b) Results of any tests of the child to determine the presence of viral
2 hepatitis, type B, including results included in a court report or permanency plan.
3 ~~The foster parent, treatment foster parent, or operator of a group home or residential~~
4 ~~care center for children and youth receiving information under this paragraph shall~~
5 ~~keep the information confidential.~~

6 **SECTION 8.** 48.371 (1) (c) of the statutes is amended to read:

7 48.371 (1) (c) Any other medical information concerning the child that is
8 necessary for the care of the child. ~~The foster parent, treatment foster parent, or~~
9 ~~operator of a group home or residential care center for children and youth receiving~~
10 ~~information under this paragraph shall keep the information confidential.~~

11 ~~**SECTION 9.** 48.371 (3) (intro.) of the statutes is amended to read:~~

12 ~~48.371 (3) (intro.) At the time of placement of a child Before a child is placed~~
13 ~~in a foster home, treatment foster home, group home, or residential care center for~~
14 ~~children and youth or in the home of a relative other than a parent or, if the following~~
15 ~~information is not available at that time by the time of placement, as soon as possible~~
16 ~~after the date on which the court report or permanency plan has been submitted, but~~
17 ~~no later than 7 days after that date, the agency, as defined in s. 48.38 (1) (a),~~
18 ~~responsible for preparing the child's permanency plan shall provide to the foster~~
19 ~~parent, treatment foster parent, relative, or operator of the group home or residential~~
20 ~~care center for children and youth information contained in the court report~~
21 ~~submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837 (4) (c) or~~
22 ~~permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5) (c), 48.63~~
23 ~~(4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or agency~~
24 ~~that prepared the court report or permanency plan relating to any of the following:~~

25 **SECTION 10.** 48.371 (3) (a) of the statutes is amended to read:

Insert
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1 48.371 (3) (a) Any mental, emotional, cognitive, developmental, or behavioral
2 disability of the child. ~~The foster parent, treatment foster parent, or operator of a~~
3 ~~group home or residential care center for children and youth receiving information~~
4 ~~under this subsection shall keep the information confidential.~~

5 **SECTION 11.** 48.371 (3) (b) of the statutes is amended to read:

6 48.371 (3) (b) Any involvement of the child in any criminal gang, as defined in
7 s. 939.22 (9), or in any other group in which any child was traumatized as a result
8 of his or her association with that group. ~~The foster parent, treatment foster parent,~~
9 ~~or operator of a group home or residential care center for children and youth~~
10 ~~receiving information under this paragraph shall keep the information confidential.~~

11 **SECTION 12.** 48.371 (3) (c) of the statutes is amended to read:

12 48.371 (3) (c) Any involvement of the child in any activities that are harmful
13 to the child's physical, mental, or moral well-being. ~~The foster parent, treatment~~
14 ~~foster parent, or operator of a group home or residential care center for children and~~
15 ~~youth receiving information under this paragraph shall keep the information~~
16 ~~confidential.~~

17 **SECTION 13.** 48.371 (3) (d) of the statutes is amended to read:

18 48.371 (3) (d) Any involvement of the child, whether as victim or perpetrator,
19 in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, or 948.025,
20 prostitution in violation of s. 944.30, sexual exploitation of a child in violation of s.
21 948.05, or causing a child to view or listen to sexual activity in violation of s. 948.055,
22 if the information is necessary for the care of the child or for the protection of any
23 person living in the foster home, treatment foster home, group home, or residential
24 care center for children and youth. ~~The foster parent, treatment foster parent, or~~

Insert 11-2
1 operator of a group home or residential care center for children and youth receiving
2 information under this paragraph shall keep the information confidential.

3
4 SECTION 14. 48.371 (4) of the statutes is created to read:

5 48.371 (4) Except as permitted under s. 252.15 (6), a foster parent, treatment
6 foster parent, relative, or operator of a group home or residential care center for
7 children and youth that receives any information under sub. (1) or (3), other than the
8 information described in sub. (3) (e), shall keep the information confidential and may
9 disclose that information only for the purposes of providing care for the child or
10 participating in a court hearing or permanency plan review concerning the child.

11 SECTION 15. 48.425 (1) (f) of the statutes is amended to read:

12 48.425 (1) (f) If the report recommends that the parental rights of both of the
13 child's parents or the child's only living or known parent are to be terminated, the
14 report shall contain a statement of the likelihood that the child will be adopted. This
15 statement shall be prepared by an agency designated in s. 48.427 (3m) (a) 1. to 4. or
16 (am) and include a presentation of the factors ~~which~~ that might prevent adoption,
17 those ~~which~~ that would facilitate it adoption, and the agency ~~which~~ that would be
18 responsible for accomplishing the adoption.

19 SECTION 16. 48.425 (1) (g) of the statutes, as affected by 2005 Wisconsin Act 25,
20 is amended to read:

21 48.425 (1) (g) If an agency designated under s. 48.427 (3m) (a) 1. to 4. or (am)
22 determines that it is unlikely that the child will be adopted, or if adoption would not
23 be in the best interests of the child, the report shall include a plan for placing the child
24 in a permanent family setting. The plan shall include a recommendation as to the
25 agency to be named guardian of the child, a recommendation that the person
appointed as the guardian of the child under s. 48.977 (2) continue to be the guardian

1 of the child, or a recommendation that a guardian be appointed for the child under
2 s. 48.977 (2).

3 **SECTION 17.** 48.427 (3m) (a) 1. of the statutes is amended to read:

4 48.427 (3m) (a) 1. A county department authorized to accept guardianship
5 under s. 48.57 (1) (e) ~~or (hm)~~.

6 **SECTION 18.** 48.427 (3m) (am) of the statutes is created to read:

7 48.427 (3m) (am) Transfer guardianship and custody of the child to a county
8 department authorized to accept guardianship under s. 48.57 (1) (hm) for placement
9 of the child for adoption by the child's foster parent or treatment foster parent, if the
10 county department has agreed to accept guardianship and custody of the child and
11 the foster parent or treatment foster parent has agreed to adopt the child.

12 **SECTION 19.** 48.428 (2) (a) of the statutes is amended to read:

13 48.428 (2) (a) Except as provided in par. (b), when a court places a child in
14 sustaining care after an order under s. 48.427 (4), the court shall transfer legal
15 custody of the child to the county department, the department, in a county having
16 a population of 500,000 or more, or a licensed child welfare agency, transfer
17 guardianship of the child to an agency listed in s. 48.427 (3m) (a) 1. to 4. or (am) and
18 place the child in the home of a licensed foster parent, licensed treatment foster
19 parent, or kinship care relative with whom the child has resided for 6 months or
20 longer. Pursuant to such a placement, this licensed foster parent, licensed treatment
21 foster parent, or kinship care relative shall be a sustaining parent with the powers
22 and duties specified in sub. (3).

23 **SECTION 20.** 48.428 (2) (b) of the statutes is amended to read:

24 48.428 (2) (b) When a court places a child in sustaining care after an order
25 under s. 48.427 (4) with a person who has been appointed as the guardian of the child

1 under s. 48.977 (2), the court may transfer legal custody of the child to the county
2 department, the department, in a county having a population of 500,000 or more, or
3 a licensed child welfare agency, transfer guardianship of the child to an agency listed
4 in s. 48.427 (3m) (a) 1. to 4. or (am) and place the child in the home of a licensed foster
5 parent, licensed treatment foster parent, or kinship care relative with whom the
6 child has resided for 6 months or longer. Pursuant to such a placement, that licensed
7 foster parent, licensed treatment foster parent, or kinship care relative shall be a
8 sustaining parent with the powers and duties specified in sub. (3). If the court
9 transfers guardianship of the child to an agency listed in s. 48.427 (3m) (a) 1. to 4.
10 or (am), the court shall terminate the guardianship under s. 48.977.

11 **SECTION 21.** 48.43 (2) of the statutes is renumbered 48.43 (2) (intro.) and
12 amended to read:

13 48.43 (2) (intro.) An order terminating parental rights permanently severs all
14 legal rights and duties between the parent whose parental rights are terminated and
15 the child- and between the child and all persons whose relationship to the child is
16 derived through that parent, except as follows:

17 **SECTION 22.** 48.43 (2) (a) of the statutes is created to read:

18 48.43 (2) (a) The relationship between the child and his or her siblings is not
19 severed until that relationship is extinguished by an order of adoption as provided
20 in s. 48.92 (2).

21 **SECTION 23.** 48.43 (2) (b) of the statutes is created to read:

22 48.43 (2) (b) A relative whose relationship to the child is derived through the
23 parent whose parental rights are terminated is considered to be a relative of the child
24 for purposes of placement of, and permanency planning for, the child until that
25 relationship is extinguished by an order of adoption as provided in s. 48.92 (2).

1 **SECTION 24.** 48.43 (5) (c) of the statutes is amended to read:

2 48.43 (5) (c) Following the hearing, the court shall make all of the
3 determinations specified under s. 48.38 (5) (c), except the determinations relating to
4 the child's parents. The court may amend the order under sub. (1) to transfer the
5 child's guardianship and custody to any agency specified under s. 48.427 (3m) (a) 1.
6 to 4. which or (am) that consents to the transfer, if the court determines that the
7 transfer is in the child's best interest. If an order is amended, the agency that
8 prepared the permanency plan shall revise the plan to conform to the order and shall
9 file a copy of the revised plan with the court. Each plan filed under this paragraph
10 shall be made a part of the court order.

11 **SECTION 25.** 48.57 (3m) (a) 2. of the statutes is amended to read:

12 48.57 (3m) (a) 2. "Kinship care relative" means a ~~stepparent, brother, sister,~~
13 ~~stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a~~
14 ~~preceding generation as denoted by the prefix of grand, great or great-great,~~
15 ~~whether by blood, marriage or legal adoption, or the spouse of any person named in~~
16 ~~this paragraph, even if the marriage is terminated by death or divorce~~ relative other
17 than a parent.

18 **SECTION 26.** 48.57 (3n) (a) 2. of the statutes is amended to read:

19 48.57 (3n) (a) 2. "Long-term kinship care relative" means a ~~stepparent,~~
20 ~~brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any~~
21 ~~person of a preceding generation as denoted by the prefix of grand, great or~~
22 ~~great-great, whether by blood, marriage or legal adoption, or the spouse of any~~
23 ~~person named in this paragraph, even if the marriage is terminated by death or~~
24 ~~divorce~~ relative other than a parent.

25 **SECTION 27.** 48.62 (2) of the statutes is amended to read:

1 48.62 (2) A relative ~~as defined in s. 48.02 (15) or as specified in s. 49.19 (1) (a)~~
2 or a guardian of a child, who provides care and maintenance for a the child, is not
3 required to obtain the license specified in this section. The department, county
4 department, or licensed child welfare agency as provided in s. 48.75 may issue a
5 license to operate a foster home or a treatment foster home to a relative who has no
6 duty of support under s. 49.90 (1) (a) and who requests a license to operate a foster
7 home or treatment foster home for a specific child who is either placed by court order
8 or who is the subject of a voluntary placement agreement under s. 48.63. The
9 department, a county department, or a licensed child welfare agency may, at the
10 request of a guardian appointed under s. 48.977 or 48.978 or ch. 880, license the
11 guardian's home as a foster home or treatment foster home for the guardian's minor
12 ward who is living in the home and who is placed in the home by court order.
13 Relatives with no duty of support and guardians appointed under s. 48.977 or 48.978
14 or ch. 880 who are licensed to operate foster homes or treatment foster homes are
15 subject to the department's licensing rules.

16 **SECTION 28.** 48.65 (2) (a) of the statutes is amended to read:

17 48.65 (2) (a) A relative or parent, grandparent, greatgrandparent, stepparent,
18 brother, sister, first cousin, nephew, niece, uncle, or aunt of a child, whether by blood,
19 marriage, or legal adoption, who provides care and supervision for the child.

20 (am) A guardian of a child who provides care and supervision for the child.

21 **SECTION 29.** 48.75 (1g) (a) 1. of the statutes is amended to read:

22 48.75 (1g) (a) 1. The person who will be licensed to operate the foster home is
23 a relative, ~~as defined in s. 48.02 (15) or as specified in s. 49.19 (1) (a) 2. a.,~~ or a
24 guardian of the child who will be placed in the foster home.

25 **SECTION 30.** 48.92 (2) of the statutes is amended to read:

1 48.92 (2) After the order of adoption is entered the relationship of parent and
2 child between the adopted person and the adopted person's birth parents, ~~unless the~~
3 ~~birth parent is the spouse of the adoptive parent, and the relationship between the~~
4 ~~adopted person and all persons whose relationship to the adopted person is derived~~
5 ~~through those birth parents~~ shall be completely altered and all the rights, duties, and
6 other legal consequences of ~~the relationship~~ those relationships shall cease to exist,
7 unless the birth parent is the spouse of the adoptive parent, in which case those
8 relationships shall be completely altered and those rights, duties, and other legal
9 consequences shall cease to exist only with respect to the birth parent who is not the
10 spouse of the adoptive parent and all persons whose relationship to the adopted
11 person is derived through that birth parent. Notwithstanding the extinction of all
12 parental rights under this subsection, a court may order reasonable visitation under
13 s. 48.925.

14 **SECTION 31.** 48.981 (1) (d) of the statutes is amended to read:

15 48.981 (1) (d) "Neglect" means failure, refusal or inability on the part of a
16 ~~parent, guardian, legal custodian or other person exercising temporary or~~
17 ~~permanent control over a child~~ caregiver, for reasons other than poverty, to provide
18 necessary care, food, clothing, medical or dental care or shelter so as to seriously
19 endanger the physical health of the child.

20 **SECTION 32.** 48.981 (1) (fm) of the statutes is repealed.

21 **SECTION 33.** 48.981 (3) (a) 2. of the statutes is renumbered 48.981 (3) (a) 2.
22 (intro.) and amended to read:

23 48.981 (3) (a) 2. (intro.) The sheriff or police department shall within 12 hours,
24 exclusive of Saturdays, Sundays, or legal holidays, refer to the county department
25 or, in a county having a population of 500,000 or more, the department or a licensed

1 child welfare agency under contract with the department all of the following types
2 of cases reported to it. the sheriff or police department:

3 2g. The county department, department, or licensed child welfare agency may
4 require that a subsequent report of a case referred under subd. 2. or 2d. be made in
5 writing.

6 **SECTION 34.** 48.981 (3) (a) 2. a. of the statutes is created to read:

7 48.981 (3) (a) 2. a. Cases in which a caregiver is suspected of abuse or neglect
8 or of threatened abuse or neglect of a child.

9 **SECTION 35.** 48.981 (3) (a) 2. b. of the statutes is created to read:

10 48.981 (3) (a) 2. b. Cases in which a caregiver is suspected of facilitating or
11 failing to take action to prevent the suspected or threatened abuse or neglect of a
12 child.

13 **SECTION 36.** 48.981 (3) (a) 2. c. of the statutes is created to read:

14 48.981 (3) (a) 2. c. Cases in which it cannot be determined who abused or
15 neglected or threatened to abuse or neglect a child.

16 **SECTION 37.** 48.981 (3) (a) 2. d. of the statutes is created to read:

17 48.981 (3) (a) 2. d. Cases in which there is reason to suspect that an unborn
18 child has been abused or there is reason to believe that an unborn child is at
19 substantial risk of abuse.

20 **SECTION 38.** 48.981 (3) (a) 2d. of the statutes is created to read:

21 48.981 (3) (a) 2d. The sheriff or police department may refer to the county
22 department or, in a county having a population of 500,000 or more, the department
23 or a licensed child welfare agency under contract with the department a case
24 reported to the sheriff or police department in which a person who is not a caregiver
25 is suspected of abuse or of threatened abuse of a child.

1 **SECTION 39.** 48.981 (3) (c) 1. of the statutes is renumbered 48.981 (3) (c) 1. a.
2 and amended to read:

3 48.981 (3) (c) 1. a. ~~Within 24 hours~~ Immediately after receiving a report under
4 par. (a), the agency shall evaluate the report to determine whether there is reason
5 to suspect that a caregiver has abused or neglected the child, has threatened the child
6 with abuse or neglect, or has facilitated or failed to take action to prevent the
7 suspected or threatened abuse or neglect of the child. If the agency determines that
8 a caregiver is suspected of abuse or neglect or of threatened abuse or neglect of the
9 child, determines that a caregiver is suspected of facilitating or failing to take action
10 to prevent the suspected or threatened abuse or neglect of the child, or cannot
11 determine who abused or neglected the child, within 24 hours after receiving the
12 report the agency shall, in accordance with the authority granted to the department
13 under s. 48.48 (17) (a) 1. or the county department under s. 48.57 (1) (a), initiate a
14 diligent investigation to determine if the child ~~or unborn child~~ is in need of protection
15 or services. ~~The~~ If the agency determines that a person who is not a caregiver is
16 suspected of abuse or of threatened abuse, the agency may, in accordance with that
17 authority, initiate a diligent investigation to determine if the child is in need or
18 protection or services. Within 24 hours after receiving a report under par. (a) of
19 suspected unborn child abuse, the agency, in accordance with that authority, shall
20 initiate a diligent investigation to determine if the unborn child is in need of
21 protection or services. An investigation under this subd. 1. a. shall be conducted in
22 accordance with standards established by the department for conducting child abuse
23 and neglect investigations or unborn child abuse investigations.

24 b. If the investigation is of a report of child abuse or neglect or of threatened
25 child abuse or neglect by a caregiver specified in sub. (1) (am) 5. to 8. who continues

1 to have access to the child or a caregiver specified in sub. (1) (am) 1. to 4., or of a report
2 that does not disclose who is suspected of the child abuse or neglect and in which the
3 investigation does not disclose who abused or neglected the child, the investigation
4 shall also include observation of or an interview with the child, or both, and, if
5 possible, an interview with the child's parents, guardian, or legal custodian. If the
6 investigation is of a report of child abuse or neglect or threatened child abuse or
7 neglect by a caregiver who continues to reside in the same dwelling as the child, the
8 investigation shall also include, if possible, a visit to that dwelling. At the initial visit
9 to the child's dwelling, the person making the investigation shall identify himself or
10 herself and the agency involved to the child's parents, guardian, or legal custodian.
11 The agency may contact, observe, or interview the child at any location without
12 permission from the child's parent, guardian, or legal custodian if necessary to
13 determine if the child is in need of protection or services, except that the person
14 making the investigation may enter a child's dwelling only with permission from the
15 child's parent, guardian, or legal custodian or after obtaining a court order
16 permitting the person to do so.

17 **SECTION 40.** 48.981 (3) (c) 4. of the statutes is amended to read:

18 48.981 (3) (c) 4. The county department or, in a county having a population of
19 500,000 or more, the department or a licensed child welfare agency under contract
20 with the department shall determine, within 60 days after receipt of a report that the
21 county department, department, or licensed child welfare agency investigates under
22 subd. 1., whether abuse or neglect has occurred or is likely to occur. The
23 determination shall be based on a preponderance of the evidence produced by the
24 investigation. A determination that abuse or neglect has occurred may not be based
25 solely on the fact that the child's parent, guardian, or legal custodian in good faith

1 selects and relies on prayer or other religious means for treatment of disease or for
2 remedial care of the child. In making a determination that emotional damage has
3 occurred, the county department or, in a county having a population of 500,000 or
4 more, the department or a licensed child welfare agency under contract with the
5 department shall give due regard to the culture of the subjects. This subdivision does
6 not prohibit a court from ordering medical services for the child if the child's health
7 requires it.

8 **SECTION 41.** 938.02 (15) of the statutes is amended to read:

9 938.02 (15) "Relative" means a parent, grandparent, ~~greatgrandparent,~~
10 stepparent, brother, sister, stepbrother, stepsister, half brother, half sister,
11 brother-in-law, sister-in-law, first cousin, 2nd cousin, nephew, niece, uncle, ~~or~~
12 aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the
13 prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption,
14 or the spouse of any person named in this subsection, even if the marriage is
15 terminated by death or divorce.

16 **SECTION 42.** ~~938.371 (1) (intro.) of the statutes is amended to read:~~

17 ~~938.371 (1) (intro.) If Before a juvenile is placed in a foster home, treatment~~
18 ~~foster home, group home, residential care center for children and youth, or secured~~
19 ~~correctional facility, or in the home of a relative other than a parent, including a~~
20 ~~placement under s. 938.205 or 938.21, or, if the following information is not available~~
21 ~~by the time of the placement, as soon as possible after the date of receipt of that~~
22 ~~information, but no more than 2 working days after that date, the agency, as defined~~
23 ~~in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the~~
24 ~~juvenile shall provide the following information to the foster parent, treatment foster~~
25 ~~parent, relative, or operator of the group home, residential care center for children~~

1 and youth, or secured correctional facility at the time of placement or, if the
2 information has not been provided to the agency by that time, as soon as possible
3 after the date on which the agency receives that information, but not more than 2
4 working days after that date.

5 **SECTION 43.** 938.371 (1) (a) of the statutes is amended to read:

6 938.371 (1) (a) Results of a test or a series of tests of the juvenile to determine
7 the presence of HIV, as defined in s. 968.38 (1) (b), antigen or nonantigenic products
8 of HIV, or an antibody to HIV, as provided under s. 252.15 (5) (a) 19., including results
9 included in a court report or permanency plan. At the time that the test results are
10 provided, the agency shall notify the foster parent, treatment foster parent, relative,
11 or operator of the group home, residential care center for children and youth, or
12 secured correctional facility of the confidentiality requirements under s. 252.15 (6).

13 **SECTION 44.** 938.371 (1) (b) of the statutes is amended to read:

14 938.371 (1) (b) Results of any tests of the juvenile to determine the presence
15 of viral hepatitis, type B, including results included in a court report or permanency
16 plan. ~~The foster parent, treatment foster parent, or operator of a group home,~~
17 ~~residential care center for children and youth, or secured correctional facility~~
18 ~~receiving information under this paragraph shall keep the information confidential.~~

19 **SECTION 45.** 938.371 (1) (c) of the statutes is amended to read:

20 938.371 (1) (c) Any other medical information concerning the juvenile that is
21 necessary for the care of the juvenile. ~~The foster parent, treatment foster parent, or~~
22 ~~operator of a group home, residential care center for children and youth, or secured~~
23 ~~correctional facility receiving information under this paragraph shall keep the~~
24 ~~information confidential.~~

25 **SECTION 46.** 938.371 (3) (intro.) of the statutes is amended to read:

1 938.371 (3) (intro.) ~~At the time of placement of a juvenile Before a juvenile is~~
2 ~~placed in a foster home, treatment foster home, group home, residential care center~~
3 ~~for children and youth, or secured correctional facility or in the home of a relative~~
4 ~~other than a parent or, if the following information is not available at that time by~~
5 ~~the time of the placement, as soon as possible after the date on which the court report~~
6 ~~or permanency plan has been submitted, but no later than 7 days after that date, the~~
7 ~~agency, as defined in s. 938.38 (1) (a), responsible for preparing the juvenile's court~~
8 ~~report or permanency plan shall provide to the foster parent, treatment foster~~
9 ~~parent, relative, or operator of the group home, residential care center for children~~
10 ~~and youth, or secured correctional facility information contained in the court report~~
11 ~~submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan submitted under~~
12 ~~s. 938.355 (2e) or 938.38 relating to findings or opinions of the court or agency that~~
13 ~~prepared the court report or permanency plan relating to any of the following:~~

14 SECTION 47. 938.371 (3) (a) of the statutes is amended to read:

15 938.371 (3) (a) Any mental, emotional, cognitive, developmental, or behavioral
16 disability of the juvenile. ~~The foster parent, treatment foster parent, or operator of~~
17 ~~a group home, residential care center for children and youth, or secured correctional~~
18 ~~facility receiving information under this subsection shall keep the information~~
19 ~~confidential.~~

20 SECTION 48. 938.371 (3) (b) of the statutes is amended to read:

21 938.371 (3) (b) Any involvement of the juvenile in any criminal gang, as defined
22 in s. 939.22 (9), or in any other group in which any child was traumatized as a result
23 of his or her association with that group. ~~The foster parent, treatment foster parent,~~
24 ~~or operator of a group home, residential care center for children and youth, or secured~~

1 ~~correctional facility receiving information under this paragraph shall keep the~~
2 ~~information confidential.~~

3 **SECTION 49.** 938.371 (3) (c) of the statutes is amended to read:

4 938.371 (3) (c) Any involvement of the juvenile in any activities that are
5 harmful to the juvenile's physical, mental, or moral well-being. The foster parent,
6 ~~treatment foster parent, or operator of a group home, residential care center for~~
7 ~~children and youth, or secured correctional facility receiving information under this~~
8 ~~paragraph shall keep the information confidential.~~

9 **SECTION 50.** 938.371 (3) (d) of the statutes is amended to read:

10 938.371 (3) (d) Any involvement of the juvenile, whether as victim or
11 perpetrator, in sexual intercourse or sexual contact in violation of s. 940.225, 948.02,
12 or 948.025, prostitution in violation of s. 944.30, sexual exploitation of a child in
13 violation of s. 948.05, or causing a child to view or listen to sexual activity in violation
14 of s. 948.055, if the information is necessary for the care of the juvenile or for the
15 protection of any person living in the foster home, treatment foster home, group
16 home, residential care center for children and youth, or secured correctional facility.
17 ~~The foster parent, treatment foster parent, or operator of a group home, residential~~
18 ~~care center for children and youth, or secured correctional facility receiving~~
19 ~~information under this paragraph shall keep the information confidential.~~

20 **SECTION 51.** 938.371 (4) of the statutes is created to read:

21 938.371 (4) Except as permitted under s. 252.15 (6), a foster parent, treatment
22 foster parent, relative, or operator of a group home, residential care center for
23 children and youth, or secured correctional facility that receives any information
24 under sub. (1) or (3), other than the information described in sub. (3) (e), shall keep
25 the information confidential and may disclose ~~that~~ information only for the purposes

1 of providing care for the juvenile or participating in a court hearing or permanency
2 plan review concerning the juvenile.

3 **SECTION 52. Nonstatutory provisions.**

4 (1) PROVISION OF INFORMATION TO RELATIVE CAREGIVERS. Notwithstanding
5 sections 48.371 (1) (intro.) and (3) (intro.) and 938.371 (1) (intro.) and (3) (intro.) of
6 the statutes, as affected by this act, in the case of a child or juvenile who is living in
7 the home of a relative other than a parent on the day before the effective date of this
8 subsection, the agency assigned primary responsibility for providing services for the
9 child or juvenile shall provide the information specified in section 48.371 (1) (a) to
10 (c) and (3) (a) to (e) or 938.371 (1) (a) to (c) and (3) (a) to (e) of the statutes, as affected
11 by this act, to the relative with whom the child or juvenile is placed no later than 60
12 days after the effective date of this subsection.

13 **SECTION 53. Initial applicability.**

14 (1) CHILDREN PLACED WITH RELATIVE CAREGIVERS. The treatment of sections
15 48.371 (1) (intro.) and (3) (intro.) and 938.371 (1) (intro.) and (3) (intro.) of the
16 statutes first applies to a child or juvenile who is placed in the home of a relative other
17 than a parent on the effective date of this subsection.

18 (2) STATUS OF RELATIVES FOLLOWING TERMINATION OF PARENTAL RIGHTS AND
19 ADOPTION.

20 (a) *Status of relatives following termination of parental rights.* The
21 renumbering and amendment of section 48.43 (2) of the statutes, and the creation of
22 section 48.43 (2) (a) and (b) of the statutes, and the treatment of section 48.92 (2) of
23 the statutes first applies to an order terminating parental rights granted on the
24 effective date of this paragraph.

(b) *Status of relatives following adoption.* The treatment of section 48.92 (2) of the statutes first applies to an order of adoption granted on the effective date of this paragraph.

SECTION 54. Effective date.

(1) CHILD ABUSE INVESTIGATIONS OF NONCAREGIVERS. The treatment of section 48.981 (1) (d) and (3) (a) 2d. and (3) (c) 1. and 4. of the statutes, the renumbering and amendment of section 48.981 (3) (a) 2. of the statutes, and the creation of section 48.981 (3) (a) 2. a., b., c., and d. of the statutes take effect on the first day of the 6th month beginning after publication.

(END)

Insert 8-15

Section #. 48.371 (1) (intro.) of the statutes is amended to read:

or in the home of a relative other than a parent

48.371 (1) (intro.) If a child is placed in a foster home, treatment foster home, group home, or residential care center for children and youth, including a placement under s. 48.205 or 48.21, the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the placement of the child shall provide the following information to the foster parent, treatment foster parent, or operator of the group home or residential care center for children and youth at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date on which the agency receives that information, but not more than 2 working days after that date:

relative

History: 1993 a. 395; 1995 a. 275; 1997 a. 272; 2001 a. 59, 69, 105.

(end of insert)

[Insert 9-24]

Section #. 48.371 (3) (intro.) of the statutes is amended to read:

or in the home of a relative other than a parent

48.371 (3) (intro.) At the time of placement of a child in a foster home, treatment foster home, group home, or residential care center for children and youth, or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency plan shall provide to the foster parent, treatment foster parent, or operator of the group home or residential care center for children and youth information contained in the court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2) or 48.837 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5) (c), 48.63 (4) or (5) (c) or 48.831 (4) (e) relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

History: 1993 a. 395; 1995 a. 275; 1997 a. 272; 2001 a. 59, 69, 105.

(end of insert)

Insert 11 - 2

SP+CE+B

SEC# CR; 480371 (4)

480371 (4) ^(B) Subsection (1) does not preclude an agency, ^{as} defined in ~~§~~ 48038 (1)(a), that is arranging for the placement of a child from providing the information specified in sub~~o~~ (1)(a) to (c) to a person specified in sub~~o~~ (1)(intro) before the time of placement of the child.

Subsection (3) ^{preclude} does not preclude an agency, ^{as} defined in ~~§~~ 48038 (1) ^(a), responsible for preparing a child's court report or permanency plan from providing the information specified in ~~sub~~ (3) (a) to (c) to a person specified in sub~~o~~ (3)(intro) before the time of placement of the child.

(end insert)

Insert 21-4

Section #. 938.371 (1) (intro.) of the statutes is amended to read:

or in the home of a relative other than a parent

938.371 (1) (intro.) If a juvenile is placed in a foster home, treatment foster home, group home, residential care center for children and youth, or secured correctional facility, including a placement under s. 938.205 or 938.21, the agency, as defined in s. 938.38 (1) (a), that placed the juvenile or relatives arranged for the placement of the juvenile shall provide the following information to the foster parent, treatment foster parent, or operator of the group home, residential care center for children and youth, or secured correctional facility at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date on which the agency receives that information, but not more than 2 working days after that date:

History: 1995 a. 77, 275, 352; 1997 a. 35, 272; 1999 a. 32; 2001 a. 59.

(ed. insert)

Insert 22-13

Section #. 938.371 (3) (intro.) of the statutes is amended to read:

or in the home of a relative other than a parent

938.371 (3) (intro.) At the time of placement of a juvenile in a foster home, treatment foster home, group home, residential care center for children and youth, or secured correctional facility, or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a), responsible for preparing the juvenile's permanency plan shall provide to the foster parent, treatment foster parent, or operator of the group home, residential care center for children and youth, or secured correctional facility information contained in the court report submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan submitted under s. 938.355 (2e) or 938.38 relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

History: 1995 a. 77, 275, 352; 1997 a. 35, 272; 1999 a. 32; 2001 a. 59.

(ed & insert)

Insert H-2 23-19

SP + CS + B

93

SEC# CR; 480371 (4)✓

93

B

480371 (4) Subsection (1) does not preclude an

agency, as defined in s 48038 (1)(a), that is arranging

for the placement of a juvenile from providing the

information specified in sub (1)(a) to (c) to a person
of the juvenile specified in sub (1)(intro) before the time of placement.

Subsection (3) does not preclude an agency, as defined in

s 48038 (1)(a), responsible for preparing a juvenile's court

report or permanency plan from providing the information

specified in sub (3)(a) to (e) to a person specified

in sub (3)(intro) before the time of placement of

the juvenile

(ed & mail)